

Hon. Robert B. Leighton

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

DANIEL P. SPEICHER and BILLIE  
SPEICHER, both individually and as husband  
and wife,

Plaintiffs,

vs.

UNION PACIFIC RAILROAD, a Delaware  
company; and TACOMA MOVING &  
STORAGE CO., a Washington corporation  
d/b/a TACOMA MOTORFREIGHT  
SERVICE/TMS/TMS MOTORFREIGHT  
SERVICE, Washington entities,

Defendants.

NO. CV07 – 5524 RBL

STIPULATION OF THE PARTIES TO  
DISMISS CLAIM FOR PUNITIVE  
DAMAGES ASSERTED BY  
PLAINTIFFS DANIEL SPEICHER AND  
BILLIE SPEICHER

**I. STIPULATION**

The parties to this action, by and through their undersigned counsel, hereby stipulate  
and agree as follows:

1. Plaintiffs Daniel Speicher and Billie Speicher filed an amended complaint on  
January 8, 2008 (Docket No. 9).

STIPULATION OF THE PARTIES TO DISMISS  
CLAIM FOR PUNITIVE DAMAGES ASSERTED  
BY PLAINTIFFS DANIEL SPEICHER AND BILLIE  
SPEICHER  
(W. D. Wash. Cause No. CV07-5524 RBL) - 1  
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**LEE · SMART**

P.S., Inc. · Pacific Northwest Law Offices

1800 One Convention Place · 701 Pike Street · Seattle · WA · 98101-3929  
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1           2.       Plaintiffs' amended complaint includes a claim for punitive damages. *See*  
2 Amended Complaint for Personal Injuries at 6, ¶ 5.2 (Docket No. 9).

3           3.       The parties agree that the claim for punitive damages asserted in the amended  
4 complaint should be dismissed, without an award of costs or fees to any party.

5           DATED this 18th day of September, 2008.

6                               LEE SMART, P.S., INC.

7  
8                               By: \_\_\_\_\_/s/ Steven G. Wraith\_\_\_\_\_  
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13 Of Attorneys for Defendant  
14 Tacoma Moving and Storage Company, d/b/a  
15 Tacoma Motorfreight Service/TMS/TMS  
16 Motorfreight Service

17                               LANE POWELL, PC

18                               By: \_\_\_\_\_/s/ William R. Kiendl \*\_\_\_\_\_  
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21 Of Attorneys for Defendant  
22 Union Pacific Railroad Company

23                               \* pursuant to e-mail authorization 9/23/08

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4 By: \_\_\_\_\_/s/ William R. Kiendl \*  
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7 Of Attorneys for Plaintiffs  
8 Daniel P. Speicher and Billie Speicher

9 \* pursuant to e-mail authorization 9/18/08

10 OFFICE OF THE CITY ATTORNEY

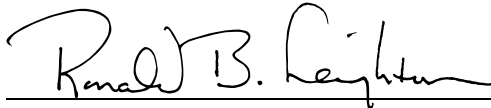
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12 M. Joseph Sloan, Jr., WSBA No. 13206  
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14 Of Attorneys for Defendant  
15 City of Tacoma

16 \* pursuant to e-mail authorization 9/18/08

17 **II. ORDER ON STIPULATION**

18 Pursuant to the foregoing stipulation of the parties, the claim for punitive damages  
19 asserted by plaintiffs Daniel and Billie Speicher in their amended complaint is DISMISSED  
20 WITH PREJUDICE, without an award of costs or fees to any party.

21 SO ORDERED this 25<sup>th</sup> day of September, 2008.

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24 RONALD B. LEIGHTON  
25 UNITED STATES DISTRICT JUDGE

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3 Presented by:

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16 Of Attorneys for Defendant

Union Pacific Railroad Company

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Daniel P. Speicher and Billie Speicher

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